



486069

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification Prior Application:
of this Application: Exam'r: Ardin Marschel, Ph.D.

Attorney's

Docket No.:

Enz-5 (D8)(C2)Class _____ Subclass _____ Group Art Unit: 1807**FILED BY EXPRESS MAIL**

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231
BOX FWC (if under \$1.62)

Sir:

This is a request for filing a X CONTINUATION _____ DIVISIONAL
_____ CONTINUATION-IN-PART application under _____ 37 CFR §1.60
X 37 CFR §1.62, of pending prior application Serial No. 07/954,772.
filed on September 30, 1992 of Dean L. Engelhardt et al.
Inventor(s)

for:

HYBRIDIZATION ASSAY METHOD

Title of Invention

1. _____ Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. _____ A copy of the verified statement under 37 CFR §1.9 and §1.27 establishing small entity status in the prior application is enclosed. Small entity status is still applicable.
3. X _____ The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT									
					RATE			FEE	
	Number Filed		Number Extra		Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	39	=	19	x	\$ 11	\$22	=	\$ --	\$ 418
Independent Claims	1	=	0	x	\$ 38	\$76	=	\$ --	\$ 0
Multiple Dependent Claims Presented: _____ Yes <u>x</u> No					\$120	\$240		\$ ---	\$ 0
If the difference in Col. 1 is less than zero, enter "0" in Col.2						BASIC FEE		\$ 365	\$730
						TOTAL FEE		\$ ---	\$1148

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EXPRESS MAIL CERTIFICATE

"Express Mail" Label No. TB842440643Deposit Date JUNE 7, 1995

I hereby certify that this paper and the attachments
herein are being deposited with the United States
Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on the date
indicated above and is addressed to the Commissioner of
Patents and Trademarks, Washington DC 20231

Ronald C. Fedus
Reg. No. 32567

Date JUNE 7, 1995

Engelhardt et al.

Serial No.: Not Yet Assigned

Filed: Herewith

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4. ☒ The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

☒ Any additional filing fees required under 37 CFR §1.16.

☒ Any patent application processing fees under 37 CFR §1.17.

5. ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

☒ Any patent application processing fees under 37 CFR §1.17.

☐ The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

☒ Any filing fees under 37 CFR §1.16 for presentation of extra claims.

6. ☐ A check in the amount of \$ _____ is enclosed.

7. ☐ Cancel claims _____

8. ☒ Amend the specification by inserting before the first line of the sentence: --- This is a ☒ continuation, _____ divisional, _____ continuation-in-part, of application Serial No. 07/954,772, filed on September 30, 1992.---

9. ☒ Transfer the drawings from the prior application.

10. ☐ Informal _____ Formal _____ drawings are enclosed.

11. ☒ Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.

12. ☐ Priority of application Serial No. _____ filed on _____ is claimed under 35 U.S.C. §119. _____ The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.

13. ☒ The prior application is assigned of record to Enzo Diagnostics, Inc., c/o Enzo Biochem, Inc., 575 Fifth Avenue, New York, New York 10017.

14. ☐ A preliminary amendment is enclosed.

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15. X The power of attorney in the prior application is to:
Ronald C. Fedus, Reg. No. 32,567.
- (a) X The power appears in the original papers in the prior application.
- (b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) A copy of a new substitute power of attorney is enclosed.
- (d) X Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Ronald C. Fedus, Esq.
Enzo Diagnostics, Inc.
c/o Enzo Biochem, Inc.
575 Fifth Avenue (18th Floor)
New York, New York 10017

16. Also accompanying this Request _____

17. I hereby verify that the attached papers are a true copy of prior application _____, filed on _____.
18. X The parent application (Serial No. 07/954,772) was revived as evidenced by a March 20, 1995 Decision on Applicant's Petition under 37 CFR 1.137(b). The parent application is presently copending with the filing of this new continuation application.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

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Code and that such willful false statements may jeopardize the validity of the
application or any patent issuing thereon.

June 7, 1995

Date



Signature [Ronald C. Fedus]

Registration No. 32, 567

Attorney for Applicants

Inventor(s)

Assignee of Complete Interest

X_____
Attorney or Agent of Record

Filed under 37 CFR §1.34(a)

Address of Signator:

Enzo Diagnostics, Inc.

c/o Enzo Biochem, Inc.

575 Fifth Avenue (18th Floor)

New York, New York 10017

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